AN

EXEMPLIFICATION

UNDER THE

Great Seal of England,

OF AN

ORDINANCE

Of His Highneſs the

LORD PROTECTOR,

By and with the Advice and Conſent of His Council, Dated the 26th of *May*, 1654.

ENTITULED,

An Ordinance for the Preſervation of the Works of the Great Level of the Fens;

Which Ordinance was confirmed by one Act and Declaration made in the Parliament begun at *Weſtminſter* the 17th day of *September*, *An. Dom.* 1656.

LONDON:

Printed by HEN: HILLS and JOHN FIELD, Printers to His Highneſs the Lord PROTECTOR. 1657.

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AN

EXEMPLIFICATION

UNDER THE

Great Seal of England,

OF AN

ORDINANCE

Of His Highnes the

LORD PROTECTOR,

By and with the Advice and Consent of

His Council, Dated the 22th of May, 1654.

ENTITULED,

An Ordinance for the Preservation of the Peace

of the Great Land of the Scots;

Which Ordinance was confirmed by one Act and

Declaration made in the Parliament begun at Westminster

the 17th day of September, in the Year, 1656.

LONDON:

Printed by Henry Hills and John Field,

Printers to His Highnes the Lord

PROTECTOR. 1657.

AN EXEMPLIFICATION UNDER THE Great Seal of England, OF AN ORDINANCE

Of His Highneſs the

LORD PROTECTOR.

By and with the Advice and Conſent of His Council, Dated the 26th of *May*, 1654.

ENTITULED,

An Ordinance for the Preſervation of the Works of the Great Level of the Fens;

Which Ordinance was confirmed by one Act and Declaration made in the Parliament begun at *Weſtminſter* the 17th day of *September*, *An. Dom.* 1656.

OLIVER Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, To all to whom theſe preſents ſhall come, Greeting; we have inſpected the Tenor of a certain Writ of Certiorari, lately iſſued out of Our Court of Chancery, to Henry Scobell Eſq; Clerk of the Parliament directed, together with a Return made on the back of the ſaid Writ, remaining of Record in the Files of Our ſaid Chancery in theſe words, Oliver Lord Pro-

tector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, To Henry Scobell Esq; Clerk of the Parliament, Greeting; we willing to be certified upon the Tenor of a certain Ordinance made and Ordained by Us and Our Council, in the year of our Lord, One thousand six hundred fifty four, Entituled, An Ordinance for the Preservation of the Work of the Great Level of the Fens; which Ordinance by a certain Act made and Ordained in the Parliament begun at Westminster the Seventeenth day of September, in the year of our Lord, One thousand six hundred fifty six, and then and there held and continued until the Six and twentieth day of June following, and thence adjourned until the Twentieth day of January then next ensuing, Entituled, An Act and Declaration touching several Acts and Ordinances made since the Twentieth of *April*, One thousand six hundred fifty three, and before the Third of *September*, One thousand six hundred fifty four, and other Acts, &c. is amongst others confirmed, Do Command you that the Tenor of the Ordinance aforesaid, with all things touching the same, you send to Us in Our Chancery distinctly and plainly under your Seal without delay, together with this Writ: witness Our Self at Westminster the Seventh day of August, in the year of our Lord, One thousand six hundred fifty seven. Lenthal. Th. The Execution of this Writ appears in a certain Schedule to this Writ annexed, Henry Scobell Clerk of the Parliament: We have also inspected the Tenor of the Ordinance aforesaid, in the said Writ, mentioned in a certain Schedule to

the said Writ annexed, remaining also of Record in the Files of Our said Chancery, in these words, In the Parliament begun and held at Westminster the Seventeenth day of September, in the year of our Lord, One thousand six hundred fifty and six, and there continued until the Twenty fifth day of June, in the year One thousand six hundred fifty seven, and from thence adjourned until the Twentieth day of January next ensuing, amongst other Acts made and ordained, one Act was made, Entituled, An Act and Declaration touching several Acts and Ordinances, made since the Twentieth day of *April*, in the year of our Lord, One thousand six hundred fifty three, and before the Third of *September*, One thousand six hundred fifty four, and other Acts, &c. in which Act it is contained as followeth, Be it Enacted by His Highness the Lord Protector and this present Parliament, and it is hereby Enacted and Declared by the Authority of the same, That (amongst others) one Ordinance also made in the same year, One thousand six hundred fifty four, Entituled, An Ordinance for Preservation of the Work of the Great Level of the Fens, shall be, and are hereby continued and confirmed, and shall stand and be in full force and strength, to all intents and purposes, Any matter or thing to the contrary notwithstanding: The Tenor of which Ordinance follows in these words, viz.

Whereas by an Act of Parliament, Entituled, An Act for the Draining of the Great Level of the Fens, extending it self into the several Counties of *Northampton*, *Norfolk*,

folk, *Suffolk*, *Lincoln*, *Cambridge* and *Huntington*, and the Isle of *Ely*, or some of them; William Earl of Bedford, Participants and Adventurers are thereby impowered to Drain the said Level, which is done accordingly, and so adjudged, and to have for their recompence the proportion of ninety five thousand Acres, which is also set out and Assigned; In and by which Act there is not a full remedy made and provided to enforce the payment of Taxes, which shall be laid and assessed in order to the preserving of the said Level: For remedy whereof, and also for providing of all ways and means conducing to the preservation thereof, Be it Ordained and Established by his Highness the Lord Protector, With the consent of his Council, That upon any Tax or Taxes to be made or laid, in pursuance of the said Act, that it shall and may be lawful for any person or persons, by any Warrant under the Hands and Seals of any five or more of the said Adventurers or Participants of the said ninety five thousand Acres (having five hundred Acres apiece) not onely to distrain upon the said Lands which are, or shall be in arrear for such Taxes, but in case of non-payment by the space of thirty days after the Tax so in arrear, to sell the distress, or distresses so taken, and the moneys arising by such sale or sales, to be imployed as well to the satisfying of such Arrears of Taxes as to the payment of two shillings in the pound for the Taxes so in arrear, to the use of the said Earl, Participants and Adventurers, their Heirs and Assigns, for defraying Charges occasioned in and about such Distresses and Sales, rendring always

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the Surplusage upon such Sales, above the said arrear Taxes, and two shillings in the pound aforesaid, if any be, to the Owner of the Distresses, demanding the same, and where no sufficient distress or distresses shall be found, after the said thirty days, when any person shall come to distrain for such Taxes in arrear, Be it Ordained by the Authority aforesaid, That in such cases it shall and may be lawful to or for the said William Earl of Bedford, Participants, and Adventurers, their Heirs and Assigns, or any five or more of them, having the said proportion of five hundred Acres a piece, to lay any Mulct or penalty for non-payment of Taxes so made or laid as aforesaid, not exceeding the sum of three shillings and four pence in the pound for the Taxes unpaid, and as well for the said Taxes as Penalty, to Enter, Seize and Sequester the Lands so in arrear for want of Taxes, to and for the use of the said Earl, Participants, and Adventurers, their Heirs and Assigns, and the Rents and Profits of the said Sequestred Lands to receive without accompt, until the said Taxes and Penalties shall be satisfied and paid.

And be it further Ordained and Established by the Authority aforesaid, That the said William Earl of Bedford, Participants, and Adventurers, their Heirs and Assigns, or any five or more of them, having the said Proportion of five hundred Acres, shall and may use and exercise the same and like power, for the making, repairing and amending of any Banks, Dams, Sluces, Salles, Drains or other works, made or to be made out of the Compass and Boundaries of the said great

Level,

Level, as they, or any five of them, do or may use or exercise in the repairing or amending of any Banks, Dams, Sluces, Sasles, Drains, or Works, within the compass of the said Level.

And be it further Ordained and Established by the Authority aforesaid, That if any person or persons shall unlawfully cut, cast down, burn or destroy, or other act do for the destroying of any Bank, Dam, Sluce, Sasle, Drain, or other Work made, or to be made, which doth or shall conduce to the Draining of the said Level, that in such cases the Commissioners in the said Act named, or such as shall from time to time be nominated in their rooms by Act of Parliament, or under the Great Seal of England, according to the said Act, or any three or more of them, upon complaint and proof made before them of such unlawful burning, casting down, cutting, or destroying, or other act doing for destroying as aforesaid, award double Damages to the said Earl, Participants, and Adventurers, their Heirs and Assigns, to be levied by distress and sale of the Offenders goods, and to be imployed for and towards the maintenance of the said Works, and for want of sufficient distress to commit such Offender or Offenders to the House of Correction, there to remain until satisfaction be made and given of the said damages so awarded; And if such cutting, burning, casting down or destroying shall be perverse and malicious, the Offenders therein shall be adjudged Felons, and be proceeded against and suffer such pains and punishments, as those who shall perversly or maliciously cut the New

Bodick

Bodick Bank in Marshland in the County of Norfolk, Provided that all and every such Offender be prosecuted within four Moneths next after the offence committed.

And be it further Ordained and Established, That the said Commissioners, or any three or more of them, are hereby impowred and authorized to hear, adjudge and determine all matters and things for and concerning the disturbing the possession or possessions of any Adventurer or Participant in the said ninety five thousand Acres, or any part thereof, their or any of their Heirs or Assigns, as also for and concerning all Ways and passages used or belonging to any part or parcel thereof, and upon judgement or determination given therein, then to commit to the Common Goal all such person and persons who shall not be conformable thereunto, there to remain until a conformity and obedience shall be given; And the Sheriff, and all other Officers and Ministers of Justice, and such as shall be concerned, are hereby required to be aiding and assisting to the said Commissioners in what they shall do or command to be done, or executed by vertue of this Ordinance; and all and every person and persons concerned or to be concerned by this Ordinance, or which shall do any thing in Execution of the same, may upon any Action, Suit, or Information, plead the general Issue, and upon any Issue joyned may give this Ordinance in Evidence, which shall be of equal force and validity, as if the same had been especially pleaded; And all Judges, Justices, Jurors, and others, are so to accept the same. Provided that this Ordinance or

any thing therein contained, shall not extend, nor be construed to extend to invalidate any Covenant, Contract, or Agreement made by the said Adventurers, with the purchasers of any part of the ninety five thousand Acres, or among themselves concerning the taxing, not taxing, or the maner of taxing of or concerning any part of the ninety five thousand Acres.

And be it further Ordained and Established, That if any person or persons of a Forein Nation, in League and Amity with the Commonwealth, being Protestants, shall become Purchaser or Farmer of any Lands part of the said ninety five thousand Acres, the said person or persons, their Heirs, Executors and Administrators (as to the said Lands and the Rents, Profits, and proceed of the same, and all Suits touching the same) shall be accounted free Denizons of this Commonwealth, and enjoy the like Privileges and Advantages for defcent to their children, Dower to their wives, and otherwise, as Denizons of this Commonwealth ought to enjoy.

Passed the Twenty sixth day of May, One thousand six hundred fifty four, I Henry Scobell Esq; Clerk of the Parliament, by vertue of a Writ of Certiorari to me directed, and to this Schedule annexed, Do certifie that the Writing above is the true Tenor of the Ordinance in the said Writ expressed, In Testimony whereof, I have hereunto set my Seal, and subscribed my name this Fifteenth day of August, in the year of our Lord, One thousand six hundred fifty and seven, Henry Scobell, Clerk of the Parliament.

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The ſeveral Tenors therefore of the ſaid Writ, Ordinance and Act of Parliament aforementioned, at the Requeſt of the ſaid William Earl of Bedford, We have cauſed to be Exemplified by theſe preſents; In Teſtimony whereof We have cauſed theſe Our Letters to be made Patents, Witneſs Our Self at Weſtminſter the Nineth day of September, in the year of our Lord, One thouſand ſix hundred fifty and ſeven.

Lenthal. Th.

Examined by us *William Glascock* and *William Harington*, Maſters of *Chancery* in Ordinary, 1657.

LONDON:
Printed by HEN: HILLS and JOHN FIELD, Printers to His Highneſs the Lord PROTECTOR. 1657.